

THE HONORABLE BENJAMIN SETTLE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CLYDE RAY SPENCER

Plaintiff,

v.

DETECTIVE SHARON KRAUSE and
SERGEANT MICHAEL DAVIDSON,

Defendants.

NO. C11 5424 BHS

**DECLARATION OF GUY
BOGDANOVICH IN SUPPORT OF
OBJECTION TO PLAINTIFF'S
SUPPLEMENTAL DISCLOSURE
OF TRIAL WITNESSES**

Trial Date: January 7, 2014

PURSUANT TO 28 U.S.C. § 1746, Guy Bogdanovich declares as follows:

1. I am competent to testify in all respects, and make this declaration from personal knowledge. I am the attorney of record for defendant Sharon Krause in the above-entitled action.

2. Attached hereto as Exhibit A is a true and complete copy of an email memo received from plaintiff's counsel, Kathleen Zellner, on December 28, 2012 in which Ms. Zellner confirmed that plaintiff had selected attorney Robert Yoseph as one of the two witnesses plaintiff was disclosing from the supplemental list of nine possible witnesses from which this Court authorized plaintiff to choose in the Order Granting in Part and Denying in Part Defendants' Motion to Strike Plaintiff's Supplemental Disclosures and Bar Testimony (Dkt. 127). Plaintiff never disclosed a second witness from that list.

**DECLARATION OF GUY BOGDANOVICH IN
SUPPORT OF OBJECTION TO PLAINTIFF'S
SUPPLEMENTAL DISCLOSURE OF TRIAL
WITNESSES - 1**

Cause No: C11-5424 BHS

*LAW, LYMAN, DANIEL,
KAMERRER & BOGDANOVICH, P.S.
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2674 RW JOHNSON BLVD SW, TUMWATER, WA 98512
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(360) 754-3480 FAX: (360) 357-3511*

1 I declare under penalty of perjury under the laws of the State of Washington and
2 the United States of America that the foregoing is true and correct.

3 DATED this 27th day of December, 2013 at Tumwater, Washington.

4 */s/ Guy Bogdanovich*

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6 Guy Bogdanovich
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**DECLARATION OF GUY BOGDANOVICH IN
SUPPORT OF OBJECTION TO PLAINTIFF'S
SUPPLEMENTAL DISCLOSURE OF TRIAL
WTINESSES - 2**

Cause No: C11-5424 BHS

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EXHIBIT A

Guy Bogdanovich

From: Kathleen Zellner [ktzellner@gmail.com]
Sent: Friday, December 28, 2012 2:05 PM
To: jefff@fjtlaw.com; Fetterly, Patricia (ATG); Guy Bogdanovich
Subject: Spencer v. Peters et al.

Dear Counsel,

We have been unable to obtain service on Matthew Hansen, so I will not be taking his deposition. I have also decided not to take Barb Linde's deposition.

As we had previously discussed, we are disclosing attorney Robert Yoseph as one of the witnesses from the supplemental list as a witness we will call at trial. I will take his deposition via telephone from his office at 1014 Franklin Street in Vancouver on Friday, January 4 at 9:00 a.m. My understanding is that he has conference call capabilities, so the other parties may appear by telephone as well. My understanding is everyone is available on that date.

Thank you for your cooperation.

Sincerely,

Kathleen T. Zellner

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EXHIBIT A